

AN ORDINANCE OF THE CITY OF FRISCO, TEXAS, AMENDING ORDINANCE NOS. 06-11-119 AND 07-12-71 (ESTABLISHING VARIOUS FEES), SECTION 5 (SOLID WASTE COLLECTION FEES), SUBSECTION B (COMMERCIAL WASTE SERVICES DEPOSITS AND FEES) TO PROVIDE FOR INCREASES IN MONTHLY FEES FOR COMMERCIAL SOLID WASTE COLLECTION; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Frisco, Texas ("City Council") has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Frisco, Texas ("Frisco"), to amend Ordinance Nos. 06-11-119 and 07-12-71 (Establishing Various Fees), Section 5 (Solid Waste Collection Fees), Subsection B (Commercial Waste Services Deposits and Fees) as set forth below; and

WHEREAS, the City Council has also investigated and determined that it would be advantageous and beneficial to the Citizens of Frisco to revise various fees and charges for commercial solid waste services; and

WHEREAS, Frisco has complied with all procedural and legal requirements to amend Ordinance Nos. 06-11-119 and 07-12-71, for the purposes set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF FRISCO, TEXAS:

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendment to Ordinance Nos. 06-11-119 and 07-12-71 (Establishing Various Fees), Section 5 (Solid Waste Collection Fees), Subsection B (Commercial Waste Services Deposits and Fees). Ordinance Nos. 06-11-119 and 07-12-71 (Establishing Various Fees), Section 5 (Solid Waste Collection Fees), Subsection B (Commercial Waste Services Deposits and Fees), is hereby amended as follows:

“SECTION 5: Solid Waste Collection Fees. There shall be charged and collected each month by City for refuse and recycling collection service the amounts of money hereinafter set out based on the following schedule, not including appropriate taxation:

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B. Commercial Waste Services Deposits and Fees:

Commercial Carts	Per Month
1 st Cart	\$13.00
Additional Carts	\$13.00
Replacement Fee	\$68.00
Additional pick up per cart (by request)	\$17.00

Service	Deposit	Fee per container
Commercial cart	\$75.00	
General commercial/retail	\$75.00	
Commercial (3 to 10 cubic yard containers) delivery fee per		\$16.00
Container resetting fee or removal (for delinquent accounts)		\$50.00
Deodorize container/per container		\$63.00
Servicing casters (4 yd only) per month per container		\$25.00
Gate closure (per enclosure) per month		\$20.00
Servicing locks per container per month		\$20.00

Fee charges for commercial collection (non-compacted containers) monthly rates:

Front-load Container Size (in cubic yards)	Number of collections per week						Extra Pick Ups
	1	2	3	4	5	6	
3	\$ 45.00	\$ 90.00	\$ 135.00	\$ 180.00	\$ 225.00	\$ 270.00	\$ 48.75
4	\$ 60.00	\$ 120.00	\$ 180.00	\$ 240.00	\$ 300.00	\$ 360.00	\$ 65.00
6	\$ 90.00	\$ 180.00	\$ 270.00	\$ 360.00	\$ 450.00	\$ 540.00	\$ 97.50
8	\$ 120.00	\$ 240.00	\$ 360.00	\$ 480.00	\$ 600.00	\$ 720.00	\$130.00
10	\$ 150.00	\$ 300.00	\$ 450.00	\$ 600.00	\$ 750.00	\$ 900.00	\$162.50

Monthly Rates Permanent Open Top Containers	Per Pick up	Daily Rental
20 yard	\$182.00*	\$3.50
30 yard	\$182.00*	\$3.50
*Plus NTMWD disposal cost per ton		

Temporary Commercial Open Tops	
Rate per haul	\$182.00*
Delivery/exchange	\$72.00
Rental per day	\$3.50
*Plus NTMWD disposal cost per ton	

Construction Waste Roll off Containers	
Size in cubic yards	City Charge Per Haul
10	\$180.00*
20	\$180.00*
30	\$180.00*
Daily Rental	\$ 3.50
Delivery Charge	\$72.00
Unable to Haul Charge	\$72.00
Relocate Fee	\$72.00
*Plus NTMWD disposal cost per ton	

Special Front Load Container Service			
Size in cubic yards	City Charge	Daily Rental	Unable to haul charge
6	\$275.00	\$3.50	\$72.00
<i>Note: City charge includes one (1) haul, one (1) delivery, three days rental and one and a half (1 1/2) tons in disposal cost.</i>			

Fee charges for commercial collection (compacted containers):

Compactors (in cubic yards)	Per Pick up
2	\$ 101.00*
4	\$137.00*
6	\$171.00*
8	\$189.00*
20	\$182.00**
30	\$182.00**
35	\$182.00**
40	\$182.00**
42	\$182.00**
*Disposal cost included in rate	
**Plus NTMWD disposal cost per ton	

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SECTION 3: Savings/Repealing Clause. Frisco Ordinance Nos. 06-11-119 and 07-12-71 shall remain in full force and effect, save and except as amended by this or any other ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed; but such repeal shall not abate any pending prosecution for violation of the repealed Ordinance, nor shall the repeal prevent prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of conflicting ordinances shall remain in full force and effect.

SECTION 4: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Frisco hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional or invalid.

SECTION 5: Effective Date. This Ordinance shall become effective from and after its passage and publication as required by the City Charter and by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, on this 20th day of January, 2009.

MAHER MASO, Mayor

ATTESTED AND

CORRECTLY RECORDED:

APPROVED AS TO FORM:

Ron Patterson
Interim City Secretary

ABERNATHY, ROEDER, BOYD & JOPLIN, P.C.
REBECCA H. BREWER, City Attorney

DATES OF PUBLICATION: _____, **FRISCO ENTERPRISE**